



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/781,855 Confirmation : 1653  
No.  
First Named Inventor : Werner DOETSCH  
Filed : February 20, 2004  
TC/A.U. : 1761  
Examiner : Chhaya D. Sayala  
  
Docket No. : 038715.53046US  
Customer No. : 23911  
  
Title : Homogeneous, Boron-Doped Alkaline Earth Peroxides

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO/SB/08 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**I. Time Period of Submission**

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is <sup>12/08/2005 IADDO1 00000076 10741855</sup> <sup>51 FC:1806</sup> <sup>100 00 00</sup> <sup>OP</sup> concurrently herewith:

- a Statement under 37 C.F.R. § 1.97(e); or  
 a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO/SB/08:

The relevance of document(s) \_\_\_\_\_ to the subject matter of the present invention is/are provided in the specification of the above-identified application.

Copy of a corresponding international search report (PCT/EP02/07334) citing document AA. The remaining documents listed on said international search report were previously submitted by way of Information Disclosure Statement filed February 20, 2004.

English language equivalent publication(s) of document(s) \_\_\_\_\_ is/are submitted herewith.

English language abstract is submitted for document AA.

English translation of the foreign language document AB is submitted herewith.

Applicant submits the following explanations:

IV. Continuations/Divisionals/PCT National Stage Applications

Documents \_\_\_\_\_ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. \_\_\_\_\_, from which this application claims a benefit.

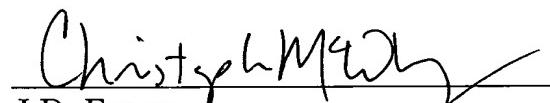
Copies of the references listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 038715.53046US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

December 7, 2005

  
\_\_\_\_\_  
J.D. Evans  
Registration No. 26,260

Christopher T. McWhinney  
Registration No. 42,875

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
JDE:CTW:MWR:vav

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	10/781,855
Date Submitted: December 7, 2005 <i>(use as many sheets as necessary)</i>				<b>Filing Date</b>	February 20, 2004
				<b>First Named Inventor</b>	Werner DOETSCH
				<b>Group Art Unit</b>	1761
				<b>Examiner Name</b>	Chhaya D. Sayala
Sheet	1	of	1	<b>Attorney Docket Number</b>	038715.53064US

## FOREIGN PATENT DOCUMENTS

## NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.